

ASSIGNED

Serial No. **58116**

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

SEP 23 1992

Date of filing in State Engineer's Office

Returned to applicant for correction

Corrected application filed

Map filed **SEP 23 1992**

The applicant Earl J. and E.M. Jernigan

P.O. Box 81 of Fallon
Street and No. or P.O. Box No. City or Town

Nevada, 89406 hereby make S application for permission to change the
State and Zip Code No.

Place of use of a portion and the manner of use

of water heretofore appropriated under Truckee Carson Irrigation District Serial No. 821-8
Point of diversion, manner of use, and/or place of use

United States of America v. Orr Ditch Co. in Equity No. A-3, Claim No. 3; United
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.

States of America v. Alpine Land and Reservoir Co., No. D-183 BRT; both in the
Federal District Court of Nevada.

1. The source of water is Truckee and Carson Rivers
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 444.76 acre-feet (148.75 acres x 2.99 acre-feet per acre)
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Maintenance of Wetlands for Recreation and Wildlife/Storage
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for as decreed
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point Derby Dam being within N $\frac{1}{2}$ SW $\frac{1}{4}$, Section 19
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
T20N R23E, M.D.B.&M., and Lahontan Dam being within SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 33, T19N,
R26E, M.D.B.&M.
6. The existing permitted point of diversion is located within No change.
If point of diversion is not changed, do not answer.
7. Proposed place of use 77,364 acres - more or less - as described in Exhibit A.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use 36.95 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, 37.1 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 18.75 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$,
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
4.85 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, 21.85 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 29.25 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 7, T19N R31E, M.D.B.&M.
9. Use will be from as decreed to of each year.
Month and Day Month and Day
10. Use was permitted from as decreed to of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) No new diversion or storage works on the
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.
Truckee River and the Carson River will be constructed.
12. Estimated cost of works N/A
13. Estimated time required to construct works N/A

14. Estimated time required to complete the application of water to beneficial use..... 1 year

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Applicant expressly reserves the right to transfer in a later proceeding: 1)
.51 acre-feet for each of the 148.75 acres from which 2.99 acre-feet per acre is
to be transferred by this application, and 2) 3.5 acre-feet for each of the 10.01
water-righted acres remaining at existing place of use.

By s/Robert Wigington
Robert Wigington, Applicant's Agent
2060 Broadway, Suite 230
Boulder, Colorado 80302

Compared. bc/bc cl/bk

Protested. 12/31/92 by Truckee-Carson Irrigation District: 12/21/92 by Bettie J. Weishaupt:
1/4/93 by Dorothy & Dale Lawrence:

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place and manner of use of a portion of the waters of the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River final decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein.
This permit is expressly contingent on the payment of the operation and maintenance charges that are properly assessed and come due the same as if the water right were still appurtenant to the agricultural land from which it is transferred, pursuant to NRS 533.370, subsection 1 (b).
This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.
The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 444.76 acre-feet cubic feet per second as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before November 8, 1996
Proof of completion of work shall be filed before December 8, 1996
Application of water to beneficial use shall be made on or before November 8, 1999
Proof of the application of water to beneficial use shall be filed on or before December 8, 1999
Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed. OCT 10 1996
Proof of beneficial use filed.
Cultural map filed.
Certificate No. Issued.

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this 8th day of November
A.D. 1995
State Engineer

The proposed place of use consists of 77,364 acres, more or less, in:

Township 21 North, Range 32 East, Mount Diablo Meridian

Section 2, all;
Section 3, all;
Section 4, all;
Section 5, all;
Section 6, all;
Section 7, all;
Section 8, all;
Section 9, all;
Section 10, all;
Section 11, all;
Section 14, all;
Section 15, all;
Section 16, all;
Section 17, all;
Section 18, all;
Section 19, all;
Section 20, all;
Section 21, all;
Section 22, all;
Section 27, all;
Section 28, all;
Section 29, all;
Section 30, all;
Section 31, all;
Section 32, all;
Section 33, all;
Section 34, all;

Township 21 North, Range 31 East, Mount Diablo Meridian

Section 1, all;
Section 2, all;
Section 3, all;
Section 4, all;
Section 5, all;

Township 21 North, Range 31 East, Mount Diablo Meridian (Continued)

Section 6, all;
Section 7, Lots 1 and 2, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$;
Section 8, all;
Section 9, E $\frac{1}{2}$, N $\frac{1}{2}$ NW $\frac{1}{4}$;
Section 10, all;
Section 11, all;
Section 12, all;
Section 13, all;
Section 14, all;
Section 15, all;
Section 16, all;
Section 17, S $\frac{1}{2}$;
Section 18, all;
Section 19, Lots 3 and 4, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Section 20, all;
Section 21, all;
Section 22, all;
Section 23, all;
Section 24, all;



Section 25, all;
 Section 26, all;
 Section 27, all;
 Section 28, all;
 Section 29, all;
 Section 30, all;
 Section 31, all;
 Section 32, all;
 Section 33, all;
 Section 34, all;
 Section 35, all;
 Section 36, all;

Township 20 North, Range 32 East, Mount Diablo Meridian

Section 3, all;
 Section 4, all;
 Section 5, all;
 Section 6, all;
 Section 7, all;
 Section 8, all;
 Section 9, all;
 Section 10, all;
 Section 16, all;

Township 20 North, Range 31 East, Mount Diablo Meridian

Section 1, all;
 Section 2, Lot 1, Lot 2, Lot 3, Lot 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$;
 Section 3, all;
 Section 4, all;
 Section 5, Lot 1, Lot 2, Lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$;
 Section 6, all;
 Section 7, Lot 1, Lot 2, Lot 3, Lot 4, E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Section 8, S $\frac{1}{2}$, NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Section 9, all;
 Section 10, N $\frac{1}{2}$, SW $\frac{1}{4}$;
 Section 11, E $\frac{1}{2}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Section 12, all;
 Section 13, all;
 Section 14, all;
 Section 18, Lot 1, Lot 2, Lot 3, Lot 4;
 Section 19, Lot 1, Lot 2, Lot 3, Lot 4;
 Section 22, E $\frac{1}{2}$
 Section 23, all;
 Section 24, all;
 Section 25, all;
 Section 26, all;
 Section 27, E $\frac{1}{2}$, SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Section 28, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Section 30, Lot 1, Lot 2, Lot 3, Lot 4;
 Section 33, E $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Section 34, all;
 Section 35, all;
 Section 36, all;

Township 19 North, Range 31 East, Mount Diablo Meridian

Section 2, all;
 Section 3, all;



Township 19 North, Range 31 East, Mount Diablo Meridian (Continued)

Section 4, Lot 1, Lot 2, Lot 3, SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Section 7, Lot 4 East of Stillwater Slough in Parcel 1;
 Section 9, all;
 Section 10, all;
 Section 11, all;
 Section 14, all;
 Section 15, all;
 Section 16, all;
 Section 17, E $\frac{1}{2}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Section 18, Lot 1 East of Stillwater Slough in Parcel 1, Lot 2 in Parcel 1, Lot 3 in Parcel 1, Lot 4 in Parcel 1, SE $\frac{1}{4}$ NW $\frac{1}{4}$ in Parcel 1, E $\frac{1}{2}$ SW $\frac{1}{4}$ in Parcel 1, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Section 19, Lot 1 in Parcel 1, Lot 2 in Parcel 1, Lot 3, Lot 4, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Section 20, all;
 Section 21, all;
 Section 22, all;
 Section 27, all;
 Section 28, all;
 Section 29, all;
 Section 30, all;
 Section 31, all;
 Section 32, all;
 Section 33, all;

Township 19 North, Range 30 East, Mount Diablo Meridian

Section 13, E $\frac{1}{2}$ E $\frac{1}{2}$ East of Stillwater Slough in Parcel 1;
 Section 24, NE $\frac{1}{4}$ NE $\frac{1}{4}$ in Parcels 1 and 3, W $\frac{1}{2}$ NE $\frac{1}{4}$ in Parcel 3, E $\frac{1}{2}$ NW $\frac{1}{4}$ in Parcel 3.

